

**REMARKS**

Claims 1-24 are pending in the application and are rejected. Claims 1-8 are withdrawn from consideration. Claims 9-24 are rejected. Claims 9, 14, 19 and 24 are herein amended. No new matter has been entered.

**Claim Rejections – 35 U.S.C. §102**

Claims 9-24 are rejected under 35 U.S.C. §102(a) as anticipated by applicant's admitted prior art (hereafter 'APA').

Applicants herein amend independent claims 9, 14, 19 and 24 to more carefully define the invention. Thereafter, Applicants respectfully disagree with the rejection because not all of the claimed limitations are met by the cited reference.

Applicants note that anticipation requires the disclosure in a single prior art reference of each and every element of the claimed invention, arranged as in the claim.

Following the present clarifying amendments, it is clear that the APA does not disclose a

A setting value generating device that generates such a setting value that causes laser light emitted from a laser module to have a predetermined wavelength and satisfies predetermined temperature conditions and predetermined power intensity conditions, the setting value generating device comprising:

an optimum power intensity calculating unit that calculates an optimum power intensity setting range that maintains the predetermined wavelength and falls within a predetermined power intensity variable range;

an optimum temperature calculating unit that calculates an optimum temperature setting range that maintains the predetermined wavelength and falls within the predetermined temperature variable range; and

a setting value generating unit that generates the setting value based on the optimum power intensity setting range calculated by the optimum power intensity calculating unit and the optimum temperature setting range calculated by the optimum temperature calculating unit,

wherein the laser module can be operated with the setting value that is located within the predetermined temperature setting range and the predetermined power intensity setting range **even when the laser module does not have a center value of the predetermined power intensity variable range.** (Emphasis added.)

Applicants disagree with the Examiner's characterization of the teachings of Figs. 3A and 3B. Applicants note that the Examiner asserts: "As can be seen from Figure 3a, the  $\lambda$ -const line extends over multiple points while remaining within the predetermined power/temperature ranges. As long as there is more than one point available on the line, and in the range, one of those points can be considered less 'optimal' than another."

However, as clearly pointed out by Applicants on page 7 of the specification:

As shown in Fig. 3A, the conventional technique can determine the setting values, as long as the controlling point determined through the above procedures is located within the temperature variable range. On the other hand, **if the controlling point is not located within the temperature variable range, as shown in Fig. 3B, the setting values cannot be determined.** Therefore, any LD

module having a controlling point outside the temperature variable range has been considered to be defective, and not been employed as an optical component.

Accordingly, Fig. 3A shows that a setting value can be determined *when the controlling point is located within the temperature range* and Fig. 3B shows that a setting value cannot be determined when the controlling point is located outside the temperature range. Thus, the laser module described in Figs. 3A and 3B cannot operate within a predetermined temperature and power intensity range when the laser module does not have a center value of the predetermined power intensity variable range, as herein amended.

In view of the aforementioned clarifying amendments and accompanying remarks, Applicants submit that the independent claims 9, 14, 19 and 24, as herein amended, are in condition for allowance. Applicants further submit the because dependent claims 10-13, 15-18, 20-23 depend from and necessarily include at least the limitations of the independent claims, these claims should be seen as allowable as well. Applicants request allowance of the claims at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

Application No. 10/614,277  
Attorney Docket No. 030824

Response under 37 C.F.R. §1.111  
Response filed July 17, 2007

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



Kenneth H. Salen  
Attorney for Applicants  
Registration No. 43,077  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

KHS/DAA/rf/arf